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Application No. 10/675,438
Attorney Docket No. 12761US02

REMARKS

The present application includes claims 1-14. Claims 4-14 were allowed by the Examiner. Claims 1-3 were objected to by the Examiner. By this Amendment, independent claim 1 has been amended. The preamble of claim 9 has also been amended to correct a typographical error.

Claims 1-3 were rejected as being unpatentable over U.S. Pat. No. 4,801,342 (Wheeler) in view of U.S. Pat. No. 4,629,531 (Kataoka) and U.S. Pat. App. No. 2003/0116256 (Erickson). Examiner has stated that Wheeler fails to show the shear wheel to be positively rotated. Examiner then cited Kataoka and Erickson to support the assertion that it would have been obvious to one skilled in the art at the time of invention to positively rotate the cutting blade of Wheeler.

Kataoka teaches the use of a chain to rotate a circular cutter for cutting a sheet from a roll of material. The sheet cutter 3 in Kataoka includes a circular blade 2 that is connected to a chain 13 that is attached to a travel member 12. (Col. 2-3, lns. 63-11.) Upon activation, the sheet cutter 2 is moved to a cutting position. (Id.) As the sheet cutter 3 moves across the sheet of material, the movement of the travel member 12 causes the chain 3 to rotate (see Figure 4). The rotation of the chain 13 rotates the circular blade 2, and the circular blade 2 proceeds to cut the sheet. (Id.)

Kataoka does not disclose a drive cable in which the position of at least one distal location of the drive cable is secured. Further, Kataoka does not disclose a shear wheel that is positively driven through engagement with a drive cable that has the position of at

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least one distal location secured, while the shear wheel assembly is traversed across a roll of material. Claim 1 has been amended to include these features. Therefore, Applicant respectfully submits that claim 1, and its respective dependent claims 2 and 3, are in condition for allowance.

Erickson teaches the use of a motorized pulley system to drive the cutting action of a blade for the cutting of splicing tape and its associated liner. (Para. 0075). Activation of the motor causes a drive pulley to rotate, which in turn rotates a first belt, which leads to the rotational movement of a series of pulleys, a second belt, and ultimately the rotation of the cutter. (Para. 0076). Thus, Erickson teaches the use of the rotational movement of belts and pulleys to drive the rotational movement of a blade.

Erickson does not disclose a drive cable in which the position of at least one distal location of the drive cable is secured. Erickson also does not disclose a shear wheel that is positively driven through engagement with a drive cable that has the position of at least one distal location secured, while the shear wheel assembly is traversed across a roll of material. Claim 1 has been amended to include these features. Therefore, Applicant respectfully submits that claim 1, and its respective dependent claims 2 and 3, are in condition for allowance.

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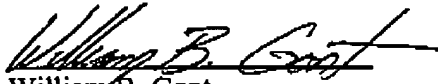
CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: September 6, 2005


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